



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CETIN KAYA

Serial No. 09/620,643<sup>9</sup> (TI-23686.1) 09/620,649

Filed July 20, 2000

For: INTEGRATED CIRCUIT HAVING INDEPENDENTLY FORMED  
ARRAY AND PERIPHERAL ISOLATION DIELECTRICS

Art Unit 2822

Examiner Mary A. Wilczewski

Customer No. 23494

Director of the United States  
Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attn: Wynette Stapor

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached document is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to Director of the United States Patent and Trademark Office, P.O. Box 1450,, Alexandria, VA 22313-1450 or is being facsimile transmitted on the date indicated below:

12-1-06

Jav M. Cantor, Reg. No. 19,906

**RESPONSE TO LETTER DATED NOVEMBER 21, 2006**

Sir:

In response to the Letter dated November 21, 2006 alleging an improper request for RCE, the following facts are noted:

1. The Board stated in its Decision dated August 29, 2006 that a proper manner to antedate the Van Buskirk reference was by way of a Declaration under 37 C.F.R. 1.131.
2. A Declaration under 37 C.F.R. 1.131 was filed October 16, 2006 which was mailed with certificate of mailing October 12, 2006.
3. The Declaration under 37 C.F.R. 1.131 nullifies all of the rejections of record which are based upon the Van Buskirk reference, this being all of the rejections of record.

4. It follows that, based upon the present record, there is no valid rejection of the claims in the subject application.

5. Accordingly, action is now requested based upon the present record which includes the Declaration under 37 C.F.R. 1.131 which provides that which is allegedly missing.

6. A copy of the Notice is attached hereto.

Respectfully submitted,



Jay M. Cantor  
Reg. No. 19906  
(301) 424-0355  
(972) 917-5293



On the date stamped here, the following paper was received in the Patent and Trademark Office in the below listed application:

Declaration Under 37 C.F.R. 131

Inventor(s): CETIN KAYA

Serial No. 09/620,649

Filed July 20, 2000

For: INTEGRATED CIRCUIT HAVING  
INDEPENDENTLY FORMED ARRAY...

Docket Number: TI-23686.1





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,649	07/20/2000	Cetin Nmi Kaya	TI-23686.1 ✓	4313

23494 7590 11/21/2006

TEXAS INSTRUMENTS INCORPORATED  
P O BOX 655474, M/S 3999  
DALLAS, TX 75265

EXAMINER

WILCZEWSKI, MARY A

ART UNIT PAPER NUMBER

2822

DATE MAILED: 11/21/2006 ✓

Please find below and/or attached an Office communication concerning this application or proceeding.

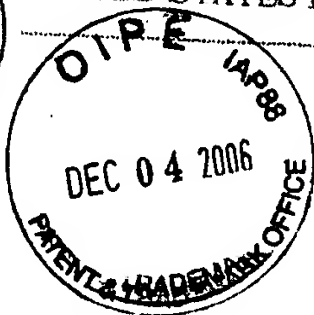
RECEIVED

NOV 28 2006

PATENT DEPT



UNITED STATES PATENT AND TRADEMARK OFFICE



9/620,649

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

DATE MAILED:

**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**

The request for continued examination (RCE) under 37 CFR 1.114 filed on 10/02/06 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☒ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

**A copy of this Notice MUST be returned with the reply.**

Direct any questions concerning this notice to

Wynette Staper, Technology Center 2800  
(571) 276-1626